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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92048263
Party	Defendant HIPPO HOLDINGS LTD
Correspondence Address	HIPPO HOLDINGS LTD BURTON UPON-TRENT MOSLEY BUSINESS PARK, MOSLEY STREET STAFFORDSHIRE, EN UNITED KINGDOM
Submission	Answer
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Date	11/21/2007
Attachments	Hippo Answer.pdf (4 pages)(170435 bytes)

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

Adelchi Trading Inc.,)	
)	Cancellation No. 92048263
Petitioner,)	Mark: HIPPO and Design
)	Registration No.: 2,530,037
v.,)	
)	
Hippo Holdings Ltd.,)	
)	
Registrant.)	
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REGISTRANT'S ANSWER TO PETITION FOR CANCELLATION

Hippo Holdings Ltd., the record owner of U.S. Trademark Registration No. 2,530,037 registered January 15, 2002 for the mark HIPPO and Design, by its undersigned attorneys, hereby submits its Answer to the Petition for Cancellation filed by Petitioner, Adelchi Trading Inc., as follows:

1. According to the records of the U.S. Patent and Trademark Office, U.S. Application Serial No. 78/264,411 is directed to the design of a puppy, applied to coloring books and plush toys, and is owned by Wells Fargo & Company. Registrant has no knowledge or information sufficient to form a belief as to the remaining allegations of Paragraph 1 of the Petition for Cancellation, and therefore denies same.

2. Answering Paragraph 2 of the Petition for Cancellation, Registration No. 2,530,037 covers the following goods: duffle bags, gym bags, tote bags, hand bags, golf umbrellas and luggage in International Class 18; clothing items, namely, shirts, blouses, ties, pants, sweatpants, shorts, shirts, jackets, hats, visors, socks, sweaters, sweatshirts, coats, wind-resistant jackets, scarves and shoes in International Class 25; and, golfing

equipment, namely, golf clubs, golf balls, golf bags, golf head covers, golf gloves, tees, divot tools and bag stands in International Class 28.

3. Registrant has no knowledge or information relating to any alleged beliefs of the Petitioner, and therefore denies the allegations of Paragraph 3 of the Petition for Cancellation.

4. Answering Paragraph 4 of the Cancellation Petition, the allegations therein are admitted.

5. Registrant states that in a Declaration under §8 of the Trademark Act, filed November 1, 2006, all goods listed in International Class 25 for U.S. Registration No. 2,402,268 were canceled except for "hats." Registrant states that no Declaration under §8 of the Trademark Act has been filed for U.S. Registration No. 2,530,037 as of this date.

6. Registrant has no knowledge or information relating to any alleged beliefs of the Petitioner, and therefore denies the allegations of Paragraph 6 of the Petition for Cancellation.

7. Answering Paragraph 7 of the Petition for Cancellation, the allegations therein are denied.

8. Answering Paragraph 8 of the Petition for Cancellation, the allegations therein are admitted.

Affirmative Defenses

9. The mark which is the subject of U.S. Trademark Registration No. 2,530,037 is currently being used in the United States by a licensee of a successor-in-

interest to the named registrant in connection with at least some of the goods recited in such registration, including certain clothing items.

10. U.S. Trademark Registration No. 2,530,037 has not been abandoned.

11. There is a likelihood of confusion between U.S. Trademark Registration No. 2,530,037 and Petitioner's mark "Hipoppotamus," which is presumed to be the subject of U.S. Trademark Application Serial No. 78/826,411.

12. There is a likelihood of confusion between U.S. Trademark Registration No. 2,402,268 and Petitioner's mark "Hipoppotamus," which is presumed to be the subject of U.S. Trademark Application Serial No. 78/826,411.

13. The Examiner in charge of Petitioner's application for registration of "Hipoppotamus" refused registration under §2(d) of the Trademark Act in view of both U.S. Trademark Registration Nos. 2,402,268 and 2,530,037.

14. Even if successful, the instant Petition for Cancellation will not result in the registration of the Petitioner's mark because of a likelihood of confusion with Registration No. 2,402,268, and the Examiner's refusal to register in view of that mark.

Registrant submits that in view of the continuing use of the mark which is the subject of U.S. Trademark Registration No. 2,530,037, there is no basis to sustain the Petition for Cancellation.

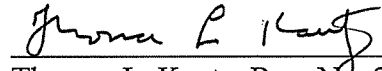
WHEREFORE, the Registrant prays that the Petition for Cancellation be dismissed.

Respectfully submitted,

HIPPO HOLDINGS LTD.

By its Attorneys,

Date: 11/21/07



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